

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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|---|---|-----------------------|
| SHEET METAL WORKERS LOCAL 265 |) | |
| WELFARE FUND, <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | CIVIL ACTION |
| |) | |
| vs. |) | NO. 11 C 5248 |
| |) | |
| RACHEL L. BOLES, individually and d/b/a |) | JUDGE EDMOND E. CHANG |
| J AND R INSTALLATIONS, INC., |) | |
| |) | |
| Defendant. |) | |

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on October 3, 2011, request this Court enter judgment against Defendant, RACHEL L. BOLES, individually and d/b/a J AND R INSTALLATIONS, INC. In support of that Motion, Plaintiffs state:

1. On October 3, 2011, this Court entered default against Defendant and granted Plaintiffs' request for an order directing the Defendant to turn over its monthly fringe benefit contribution reports for December 2010 and March 2011 forward. The Court also entered an order that judgment would be entered after Plaintiffs determined all amounts due from Defendant.

2. On or about October 15, 2011, Defendant submitted its monthly fringe benefit contribution reports for July 2011 and August 2011. The reports show that the Defendant is delinquent in contributions to the Funds in the amount of \$21,807.80. (See Affidavit of Scott P. Wille).

3. Additionally, the amount of \$2,180.79 is due for liquidated damages. (Wille Aff. Par. 4(c)).

4. Pursuant to the Trust Agreements, a liquidated damages surcharge has been assessed against the Defendant in the amount of ten (10%) percent of all contributions due and unpaid and all contributions which were paid late, for the months of January 2008 through January 2011, in the total amount of \$6,789.27. (Wille Aff. Par. 5).

5. In addition, Plaintiffs' firm has expended the amount of \$450.00 in costs and the amount of \$1,517.25 in attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

6. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$32,745.20.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$32,745.20.

/s/ Jennifer L. Dunitz-Geiringer

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CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 7th day of November 2011:

Ms. Rachel L. Boles
709 Gallant Drive
Minooka, IL 60447

/s/ Jennifer L. Dunitz-Geiringer

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